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Applicants: JERMAN et al.
Serial No.:
For: Tunable Laser with Microactuator

Attorney's Docket No.: A-70056/ENB
Filing Date: November 29, 2000

09/728212

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN



I hereby declare that I am

[ ] the owner of the small business concern identified below:

[X] an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: IOLON, INC.
ADDRESS OF CONCERN: 1870 Lundy Avenue
San Jose, California 95131

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the Patent and Trademark Office under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled: **TUNABLE LASER WITH MICROACTUATOR**
by inventor(s) **John H. Jerman, John D. Grade, Jill D. Berger and John F. Heanue** described in:

[ ] the specification filed herewith
[XX] application serial no. _____; filed **November 29, 2000**
[ ] patent no. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: _____ ADDRESS: _____
[] Individual [] Small Business Concern [] Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

RECEIVED
APR 16 2001
OFFICE OF PETITIONS

NAME OF PERSON SIGNING: Tim Harris

TITLE IN ORGANIZATION: Vice President of Operations

ADDRESS: 1870 Lundy Avenue, San Jose, CA 95131-1826

SIGNATURE: _____ DATE: Dec 14, 00

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A-70056/ENB

OIPE JC02 AUG 22 2001 PATENT & TRADEMARK OFFICE

DECLARATION FOR PATENT APPLICATION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled TUNABLE LASER WITH MICROACTUATOR, the specification of which

(check one)

☐ is attached hereto.

☒ was filed on November 29, 2000 as Application Serial No. _____ and was amended on _____. (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
(Number)	(Country)	(Day/Month/Year Filed)	☐ Yes	☐ No
(Number)	(Country)	(Day/Month/Year Filed)	☐ Yes	☐ No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose to the Patent Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

60/167,937	November 29, 1999	Pending
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
60/167,951	November 29, 1999	Pending
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
60/174,562	January 5, 2000	Pending
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
09/491,429	January 26, 2000	Pending
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
60/227,933	August 25, 2000	Pending
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)
60/234,042	September 20, 2000	Pending
(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

Direct all telephone calls to EDWARD N. BACHAND at (650) 494-8700

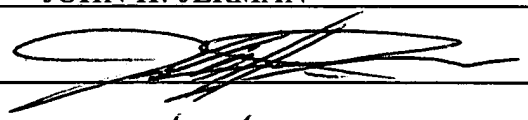
Address all correspondence to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Suite 3400, Four Embarcadero Center
San Francisco, California 94111-4187

File No. A-70055/ENB

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first and joint inventor: JOHN H. JERMAN

Inventor's signature: 

Date: 2/12/01

Residence: Palo Alto, California
Citizenship: United States of America
Post Office Address: 3056 Ramona Street
Palo Alto, CA 94306

* * * * *

Full name of second and joint inventor: JOHN D. GRADE

Inventor's signature: John D. Grade

Date: 2-12-01

Residence: Mountain View, California
Citizenship: United States of America
Post Office Address: 400 Ortega Avenue
Mountain View, CA 94040

* * * * *

Full name of third and joint inventor: JILL D. BERGER

Inventor's signature: Jill D. Berger

Date:

Residence: Los Gatos, California
Citizenship: United States of America
Post Office Address: 200 Belgatos Road
Los Gatos, CA 95032

* * * * *

Full name of forth and joint inventor: JOHN F. HEANUE

Inventor's signature: John F. Heanue

Date: Feb. 16th, 2001

Residence: San Jose, California
Citizenship: United States of America
Post Office Address: 5468 Felter Road
San Jose, CA 95132

* * * * *

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PATENT & TRADEMARK OFFICE

POWER OF ATTORNEY BY ASSIGNEE

The undersigned assignee of the entire interest in application for letters patent entitled: **TUNABLE LASER WITH MICROACTUATOR** and having the named inventors: **John H. Jerman, John D. Grade, Jill D. Berger, and John F. Heanue** hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith; said appointment to be to the exclusion of the inventor(s) and his (their) attorney(s) in accordance with the provisions of 37 C.F.R. 3.71:

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Harold C. Hohbach, Reg. No. 17,757; Aldo J. Test, Reg. No. 18,048; Donald N. MacIntosh, Reg. No. 20,316; Edward S. Wright, Reg. No. 24,903; David J. Brezner, Reg. No. 24,774; Richard E. Backus, Reg. No. 22,701; James A. Sheridan, Reg. No. 25,435; Robert B. Chickering, Reg. No. 24,286; Richard F. Trecartin, Reg. No. 31,801; Steven F. Caserza, Reg. No. 29,780; Michael A. Kaufman, Reg. No. 32,988; Edward N. Bachand, Reg. No. 37,085; R. Michael Ananian, Reg. No. 35,050; Robin M. Silva, Reg. No. 38,304; and Maria S. Swiatek, Reg. No. 37,244; provided that if any one of said attorneys ceases being affiliated with the law firm of Flehr Hohbach Test Albritton & Herbert LLP as partner, employee or of counsel, such attorney's appointment as attorney and all powers derived therefrom shall terminate on the date such attorney ceases being so affiliated.

In accordance with 37 CFR 3.73 the assignee hereby certifies that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of assignee's knowledge and belief, title is in the assignee seeking to take this action.

Direct all telephone calls to EDWARD N. BACHAND at (650) 494-8700.

Address all correspondence to:

FLEHR HOHBACH TEST ALBRITTON & HERBERT LLP
Suite 3400, Four Embarcadero Center
San Francisco, California 94111-4187

Date: 14 Dec, 2000 Signature: _____

By: Tim Harris
(typed name)

Title: Vice President of Operations

Assignee: IOLON, INC.

Address: 1870 Lundy Avenue
San Jose, California 95131